**THE HON'BLE MR JUSTICE V.V.S.RAO**

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**WRIT PETITION No. 23884 of 2005**

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**Dated:09.11.2005**

Between:

Konjeti Lakshminarayana, S/o. Venkata Narasimham
R/o. D.No.W 6-1-51 (old.No.W-6/57) Pappula Street, Nellore Town
Nellore District.

**..... PETITIONER**

AND

Nellore Muncipal Corporation, Rep. by its Commissioner Nellore,

Nellore District, and others.

**.....RESPONDENTS**

**THE HON'BLE MR JUSTICE V.V.S.RAO**

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**WRIT PETITION No. 23884 of 2005**

**ORDER:**

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The petitioner is a resident of Pappula Street, Nellore Town. Alleging that respondent Nos.3 and 4 herein are making constructions illegally, the petitioner gave representations to the first respondent in August and October 2005, in vain. Therefore, he seeks a declaration that the inaction of the first respondent is illegal and arbitrary.

At the stage of admission itself, the learned Standing Counsel for the Nellore Municipal Corporation, Sri S.Venkateswara Reddy, on instructions, submits that the Municipal Corporation of Nellore has already initiated action against respondent Nos.3 and 4, and a notice is already issued. Therefore, the writ petition is liable to be dismissed, as it is filed on a factual foundation, which is not sound and incorrect. The Municipal Corporation will do well to take further action pursuant to the notice already issued to respondent Nos.3 and 4.

The Writ Petition, with the above observation, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

09.11.2005

Note: Issue C.C by tomorrow.

B/o.

vs